

HOUSE BILL 117

By Shepard

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 2 and Title 55, Chapter 10, Part
2, relative to certain offenses involving
recklessness

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-205, is amended by adding the following new subsection (b) and by relettering present subsection (b) accordingly:

(b) The trier of fact may infer that if the driver of a motor vehicle fell asleep while driving or was driving after having been without sleep for a period in excess of twenty-four (24) hours, such driver was driving in willful or wanton disregard for the safety of persons or property in violation of this section.

SECTION 2. Tennessee Code Annotated, Section 39-13-215, is amended by adding the following new subsection (b) and by relettering present subsection (b) accordingly:

(b) The trier of fact may infer that if the driver of a motor vehicle fell asleep while driving or was driving after having been without sleep for a period in excess of twenty-four (24) hours and that conduct was the proximate cause of a fatal accident, such driver recklessly killed another in violation of this section.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.